

**VILLAGE OF HASTINGS-ON-HUDSON, NEW YORK  
BOARD OF TRUSTEES  
REGULAR MEETING  
JANUARY 3, 2017**

A Regular Meeting was held by the Board of Trustees on Tuesday, January 3, 2017 at 7:50 p.m. in the Meeting Room, Municipal Building, 7 Maple Avenue.

**PRESENT:** Mayor Peter Swiderski, Trustee Meg Walker, Trustee Nicola Armacost, Trustee Daniel Lemons, Trustee Walter Stugis, Village Manager Francis A. Frobels, Village Attorney Linda Whitehead, and Village Clerk Susan Maggiotto

**CITIZENS:** Two (2).

**APPROVAL OF MINUTES**

**Mayor Swiderski:** Any edits or changes to the minutes as distributed for the meeting of December 20?

**Trustee Lemons:** There is one word that I caught which is mis-translated. It says "consistency" instead of "constituency." Also, "Foodtown" is separated "Food" and "Town" every time instead of the actual grocery store name.

**Mayor Swiderski:** With those edits, a motion to approve the minutes?

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the Minutes of the Regular Meeting of December 20, 2016 were approved as amended.

**APPROVAL OF WARRANTS**

On MOTION of Trustee Armacost, SECONDED by Trustee Walker with a voice vote of all in favor, the following Warrants were approved:

Multi-Fund No. 46-2016-17                      \$ 57,001.51

**PUBLIC COMMENTS**

**John Gonder, 153 James Street:** Before I came down, I know it is raining, I think the deer like my yard in the rain and the grass because they are afraid of limbs coming down on them. There were seven, I chased them out of my yard of course. I told you a couple of meetings

ago about the sterilization program for male deer through a partnership with White Buffalo. It seems like a good thing. You have one gun for does and one gun for male bucks. The bucks are running around, and when you have that deer feeder who comes first? The bucks, and they chase the does away. I have seen it my yard for two years now. There were seven, so I do not think the reduction is around Pulvers Woods.

I know Mr. Frobel always is working hard on next year's taxes. Maybe you could get some cushions for the 1965 Dutch pews. Let us come up in this world.

The other thing is with your advocator for the Village merchants, sometimes you should have people come in and discuss about the tax freeze credit and the tax relief check credit we are supposedly supposed to get. I do not know a lot about it except what I read in the paper, and I always have to make phone calls. Last year I think we three were the last to get them.

**Jim Metzger, 427 Warburton Avenue:** I am a Democratic district leader in the Village so the people I voted for in the recent election our side did not win. We are going to be facing some troubling times ahead. I would like to ask that as a village we come together and respect each other, that we do not follow the insanity of Twitter that is coming out of our president-elect, and that we try and create a local safe haven here in Hastings. Mayor DeBlasio said New York is going to be a sanctuary city. I would like to know we are going to be a sanctuary village. People should feel free to stand up and speak their mind, but nobody should be harassed for that. So let us all take a deep breath, come together, and be the people we know we can be.

**Mayor Swiderski:** Thank you, and amen to that.

### **1:17 ADOPTION OF LOCAL LAW NO. 1 OF 2017**

**Mayor Swiderski:** We just had a public hearing on this, and now a Board discussion ahead of the vote. I am going to start with our newest Trustee.

**Trustee Stugis:** I think it is high time we offered a benefit to our veterans and the ones identified in this law who served during combat years and war years. I wonder about its not being needs-based. That would be nice if multimillionaire veterans could opt out, which they can in this case. I have a little experience there for any of the rest of you who might be wondering why is it not needs-based.

My dad had four years in the Pacific in World War II and whenever he used to get some unsolicited benefit he would get all angry and send it back. That was my first introduction to that ethic, where he said, "I don't need it. I'm not rich, but the guys who got wounded next to

me do need it and I'd rather they get it." So there is that ethic in the military. I did not serve. My dad told me not to go to Vietnam. I would have, but he counseled me not to, considering some of the things Mr. Gonder said. About eight or nine years ago I co-founded, and then served on the board, of a non-profit organization called Beyond Tribute. My day job, I work with big companies to get them to share some of their sales proceeds with good causes, networks and charities. I and a few other people found that it was disturbing that retailers and car dealers would have Veterans Day sales and Memorial Day sales that advertised it is Veterans Day, come buy a car, and veterans would not benefit. They are literally treading on the brand of our servicemembers.

We managed to get a pretty strong coalition of folks together. I worked with ex-Marines from the Iraq conflict who also served on the board. That is where I continued to learn that the needs-based part of this is, to some degree, you can count on it being self-selective. The Marine who was on the board with me took the new GI Bill benefit, but would not accept any of these other benefits because he felt some of his comrades in arms needed it more than he did. So I wish it was needs-based, but I have a feeling that to some degree it is going to be self-managed that way by our veteran citizens. I do not know how you budget for that. You probably should budget conservatively, assuming they all are going to take it, but I have a feeling a lot of them, particularly the ones whose million-dollar house will be capped at the \$54,000 and they might conclude they do not need it.

**Trustee Walker:** That is interesting what you say, their own ethic. I have been on the fence about it because I have also, for a long time, thought it should be a needs-based benefit. However, I have had many recent encounters with Iraqi and Afghan war veterans in my work. In fact, many of the people I am having encounters with are homeless and are suffering from mental illness and, often, substance abuse. It opened my eyes to the reality that we are not doing as much as we can or should for our veterans, particularly those coming back with PTSD and serious disabilities. It has opened my eyes to the needs out there.

So I am going to vote in favor of it. The town is offering it, the other villages are offering it, the school board is offering it; I think we can do it, too. A veteran whom I knew very well who was my father's best friend just died today. He was 84 years old. He served in the Korean War and then flew a fighter jet in the Vietnam War, and went on to become an English professor and head of the English department at the Air Force Academy. He wrote a number of books about the Vietnam War, in fact quite against the Vietnam War. Even though he continued to serve in the military, he was also very critical of the war. An interesting kind of conflict position to be in. At any rate, I am going to cast my vote in his honor. His name was Major John Pratt.

**Trustee Armacost:** I am happy this issue has finally come up for us to discuss. It has been a long time coming and to me it is fundamentally a fairness issue. I believe we should be supporting our veterans in as many ways as we can. We have talked about family situations. Both of my grandfathers served in World War II on the side of the British. And my family has been quite involved with veterans because my son did an Eagle Scout project at the VFW where helped to renovate the downstairs of the building. In the course of doing that project we met with many different veterans in Hastings, some of whom served in World War II, some of whom served in the Korean War, and some in more recent wars. It was interesting for me and the Scouts to hear their stories and to hear about the different experiences they had when they came home: sometimes welcomed as heroes, sometimes scorned. The feeling we all felt was that it did not matter which war the people fought in, they were fighting because of their commitment to the country, to our safety as citizens, and to our community to protect us from what they saw as evils and what their politicians had told them were evils out there in the world.

As Walter said, the people I have met who are in the military are people of honor. They are people who served their country because of a feeling of honor. If they do not need an exemption they will not take it. They will not take an exemption just because it is free money. They will know it is something that one of their brothers or sisters need. So I am not concerned about the issue of the implication there might be some kind of exploitation there because it is not needs-based. The financial situation in our village is finally, after many years of hard work by all of us and by Fran and his team, in a healthy place, and now is the time when we can show our commitment to all the people who have served, whether or not we like the war they fought in, to show them how much we value their service.

That does not mean we cannot find other groups that we can also find a way to protect in a financial capacity, as well. But this one is specifically about veterans and my view is that it is time to take that step and equalize the way our treatment here in the Village manifests itself vis-à-vis the school and the Town and other jurisdictions. So I am in favor of this.

**Trustee Lemons:** This is an opportunity for all of us to share war stories, but not our own. I guess my dad was in the Pacific with your dad, Walter.

**Trustee Walker:** So was my dad.

**Trustee Lemons:** I heard a lot of those stories. He was on a ship where kamikaze pilots were coming in.

**Trustee Walker:** So was my dad.

**Trustee Lemons:** Did not sound too pleasant. My son is working at the VA in East Orange as a psychologist, and dealing mostly with Vietnam-era veterans. Those stories are not great either. A lot of people, let us say, who do not have warm feelings about the military they served in. Despite that, I do not support this proposal. I took that position when I ran for election in 2015, and I still have the same reasons for not supporting a blanket exemption for veterans. As a Trustee, my charge is to look after the welfare of all our residents. That includes safety and financial concerns, quality of life issues, and whatever they face. I think the senior citizens needs-based exemption is very important. I support it because it is needs-based and addresses a critical issue, which is people on fixed incomes not being able to stay in the Village because taxes are high and always get higher. I also support the exemption for our firefighters and first responders because not only do they render service as volunteers and do not get compensation for it, but in a very practical way for the Village we have many more millions of dollars we would have to raise in our budget if we do not have those folks.

The veterans exemption does not work that way. I do not question some would opt out if they did not need it; nevertheless, it is not needs-based and, for me, does not meet that criteria. the estimate is now \$60,000; I had heard \$100,000, possibly, as the impact. I think that was suggested in the last meeting. Either way, it is a significant amount. It is true that the Village is in much better financial shape than it was. Again, I cannot support something which I know is going to distribute a higher tax burden, even if not a huge thing, to those on fixed incomes. It becomes a regressive component to taxation, so I will vote no.

**Mayor Swiderski:** Thankfully I do not have to break a tie here. I walked in inclined toward no for almost exactly the reasons defined by Trustee Lemons. It does not represent any disrespect to veterans. My dad served as well, though in the Polish army against the Germans. I know the supreme sacrifice so many have made and the burden many carry as a result of war. But also, and this is evidence that these discussions here can move hearts and minds, I heard what Trustee Stugis had to say about an ethic that I had heard of before but had not considered in depth, and what Trustee Armacost had said. I am not necessarily moved by the argument, with all due respect to Trustee Walker, regarding the plight of homeless veterans. That is an ill this law does not affect and not an ill we suffer from, thankfully, in this village.

As far as a sign of respect to the veterans who have served and a realization that I suspect just about everybody in this community, or certainly the vast majority even if they were on fixed income, would support such an exemption, I am flipping from a no to a yes. While I did not expect that walking in, I will be voting in favor. With that, I am going to call for a motion for a vote.

On MOTION of Trustee Armacost, SECONDED by Trustee Walker the following Resolution was duly adopted upon roll call vote:

**RESOLVED:** that the Mayor and Board of Trustees hereby adopt Local Law No. 1 of 2017 to establish the alternate veterans exemption pursuant to §458-a of the New York State Real Property Tax Law and increase the maximum allowable exemption.

Be it enacted by the Board of Trustees of the Village of Hastings-on-Hudson, as follows:

**SECTION 1.** Existing Article IV. Alternative Veterans Exemption of Chapter 260, Taxation, is hereby repealed.

**SECTION 2.** New Article IV. Alternative Veterans Exemption of Chapter 260, Taxation, is hereby adopted to read as follows:

#### **Article IV. Alternative Veterans Exemption**

##### **§260-22. Purpose.**

The purpose of this article is to set forth that the exemptions from real property taxes pursuant to §458-a of the Real Property Tax Law of the State of New York shall apply to properties located within the Village, and to increase the maximum allowable real property tax exemptions provided for in §458-a of the Real Property Tax Law that is effective in the Village of Hastings-on-Hudson. All definitions, terms and conditions of such statute shall apply to this article.

##### **§260-23. Maximum Allowable Exemption.**

The maximum exemptions allowable in Paragraphs (a), (b) and (c) of Subdivision 2 of § 458-a of the Real Property Tax Law are hereby set as \$54,000, \$36,000 and \$180,000, respectively.

##### **§260-23.1 Inconsistent Laws.**

Pursuant to New York Municipal Home Rule Law § 22, the provisions of this article are intended to supersede the provisions of Real Property Tax Law § 458-a to the extent that this article and Real Property Tax Law § 458-a are inconsistent.

#### **SECTION 3. SEVERABILITY**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or

enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

#### **SECTION 4. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons		X
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

#### **2:17 APPROVAL OF SALARY – BUILDING INSPECTOR**

**Village Manager Frobel:** This is a recommendation that the salary for the Building Inspector be raised. I had discussed with the Board the added responsibility this gentleman has taken on in terms of being staff to the Planning Board, the Zoning Board of Appeals, the Architectural Review Board, and the fact that he has taken his responsibilities beyond that which is depicted in his job description to the point where he has become a very valuable member of maintaining our buildings and assisting me in a number of small capital projects that ordinarily would have to have been a couple of days out in terms of design. I refer to the columns of the Village building recently.

We also know the level of activity. Where the economy in the Village has strengthened over the past several years, the number of building permits and the revenue that office generates, although not a factor in determining a salary, does reflect the level of activity. It is one I think is overdue and I recommend this to the Board for your consideration.

**Trustee Walker:** Sounds like it is well deserved.

**Trustee Lemons:** What you point out about the many hats that Buddy wears is important. This salary otherwise might be high, as proposed, but I have seen him, for one thing, in his willingness to go the extra mile, put in extra time, and get things done. But also those other roles that are key roles he plays like consulting with those other boards. I feel it is appropriate.

On MOTION of Trustee Walker, SECONDED by Trustee Lemons the following Resolution was duly adopted upon roll call vote:

**RESOLVED:** that the Mayor and Board of Trustees establish the annual salary of the Building Inspector at \$93,000 effective Jan. 1, 2017.

<b>ROLL CALL VOTE</b>	<b>AYE</b>	<b>NAY</b>
Trustee Meg Walker	X	
Trustee Nicola Armacost	X	
Trustee Daniel Lemons	X	
Trustee Walter Stugis	X	
Mayor Peter Swiderski	X	

### **VILLAGE MANAGER'S REPORT**

**Village Manager Frobel:** I have nothing to add, Mayor, to what I have provided already. I will use my time during that discussion on Quarry Park and Quarry Trail, if you like

### **BOARD DISCUSSION AND COMMENTS**

#### **1. Next Steps on Waterfront Rezoning**

**Mayor Swiderski:** This is one of the bigger challenges we face. I wanted to lay out some of the beginning thinking I have on this and the timeline that would unfold over the next couple of years, both for Board discussion and to put a marker so this happens in the next two years.

The specific issue here is that the current waterfront zoning is called Marine Industrial, which is effectively useless in its current form. It worked just fine when that is what you had there, and works just fine right now in preventing anything from happening. But the disposition of the waterfront lays before us that the engineering design of the cleanup will come to an end in the next year or two, and BP/ARCO is beginning discussions with counterparts on next steps. As a result, it seems prudent to start planning the rezoning. In discussions with what will be our formal counsel pro bono on this, we have a potential way forward which is a little different than some of the rezoning efforts we have done in the past. A thought provoked me, and I would like to lay it out and begin a discussion here.

We have talked about the possibility of form-based zoning, we have talked about the possibility of classic zoning, and the wisdom of one or the other we have not yet begun to debate. Classic zoning is what exists on every parcel in this village. It is specific-use



specified, with typically a percent of the land that can be covered by a structure and a percent of the land that can be covered by paving or whatever, and, in some cases, building heights and density. Form-based ignores specific uses and speaks of, if you can imagine it, wire-form blocks of structures and where they would go without specifying what that building is; whether it is residential or otherwise. There are certain advantages to both, and I am not proposing we go that way as a first step.

Rather, to cue up the discussion and possibly narrow it, and take a step we would have to take anyway, what I would like to propose is, up front, a financial analysis where you would have a large matrix where each row is a different type of proposed zoning. It could be all the likely zones you have in our current zoning code, plus a range of form-based zones in terms of size, and the columns are the costs and benefits to the Village. The range of tax revenues and the range of expenses, whether it is likely school expenses, impact on emergency services, additional park personnel, whatever it is, and a net benefit to the Village. These will all be ranges, but they will provide some indication of what these various zones would then be. As a lead-in to a discussion on zoning, it sets a practical baseline where we can have a grownup discussion instead of dreaming big and then coming up on the hard edges of reality of the expense of that proposed zone.

I am going to choose one example: pure park. Let us see what that would cost. Have that in a grid, then when we kick off the rezoning it may be very much more efficient to narrow down to the range of those zones that we agree provide the Village with the benefit we agree we want. That may not be 800 units of housing and it may not be pure commercial. We will have that discussion as we go through this process after that analysis is done, but it will be an informed discussion based on some sense of the range of benefits we would have out of each one of these proposed zones. The rezoning would be applied to the whole 42 acres; we are not looking to go after just BP. I would like to see this portion happen in the first three-quarters of this year, then segue into the rezoning process itself.

I have proposed that the rezoning process be run by a Board-appointed group of residents gathered from résumés submitted from the community, and stating my own bias, a preference toward the new generation moving into town or at least a representation on that committee to make sure we capture the new people coming to town, since at the speed we move they are probably the only ones who can enjoy what happens on the waterfront. But at least they will have in their hands an important piece of analysis that will allow the discussion to be more focused. I do not want to use the word "realistic" because that may sound judgmental, but financially driven, which is an important component to a village that has righted its finances and is in good shape and for many who view the waterfront as a way of strengthening our financial position.

That is the broad arc of the vision, a kick-off to the financial analysis, headed into the rezoning process. Both phases will be supported by consultants we would look to BP for the funding for. They have set aside money into a fund as a result of the settlement we had with them for engineering and other planning resources. I am confident they would allow this as a use for that funding, and it is in their own interest. I think they would fund that. We would have a consultant helping us on the first component. On the second, I would like feedback from the Board on their sentiment on whether the resident-driven committee we would set up would be formed ahead of the first component to help advise on that, or whether that can be done independently and is set up to do the rezoning instead.

In terms of specific shorter-term timing, what I do for the discussion here is come back with a formal proposal for how an RFP for a consultant to help out in this financial analysis would look like within a month. Then we would go, if there was Board support of the general concept of the RFP into specifying that RFP further and issuing it by March to kick off this process. Those are the broad-brush outlines put out there. None of you have heard this in much detail other than Trustee Lemons, who has had a discussion on this with me with our pro bono counsel, but I want to get this going so it happens in the next couple of years.

**Trustee Walker:** The broad outline you have proposed is a good one. I do think that starting with a financial analysis is the right thing to do. However, I am not sure what you are going to base the financial analysis on if you do not have a plan. Even if it is a strawman plan, I think you have to start with something. You cannot just start with nothing. We are not talking about how much acreage we are considering developing, how much parkland. You say you could look at all parkland or all development, but there are thousands of possibilities in between. We need to start with some type of plan that then may not withstand the financial analysis, but you have to start with something.

That is our opportunity to be proactive and do a master plan of what kind of development, perhaps not even getting into the numbers of housing units or square footage of office space specifically. But at least get the basic plan down, then use that as the basis for your financial analysis to start looking at is it office space, is it housing, how much parkland, how much is it going to cost to maintain the parkland, what level of non-profit institution or uses would we like to see down there because that is something we hear about, too. Then they become loss leaders for other types of development. For example, an arts institution might attract other types of office space. A school might attract a Google. You never know about these things. I am not sure what you are going to analyze if you start with the financial analysis.

**Mayor Swiderski:** I can give you an answer to that. That Infrastructure Committee did back into, at a very high level, an analysis of what would be developable versus not developable. It is driven in large part by the consent decrees and order, which specifies how

many acres of parkland there is going to be, what the setbacks are, assumptions given the 14-foot platform we have got to develop, how big that is. We do have a bounded lozenge of developable activity, and what I am proposing is working off that assumption because it is bounded by the restrictions in the consent decree. And overlaying it without much modification as an upper-bounded estimate with current zoning.

My concern with coming up with a plan is you are jumping ahead. A plan assumes you have made a number of major decisions heading into that that narrows you down to a subset of a wide range of opportunities. What I am trying to leave is, is as many opportunities as possible, whether it is commercial, mixed-use, pure residential, whatever, and a set of factors that then can drive the rezoning and eventually lead to a plan. Coming up with a plan provokes a much bigger discussion and having to settle on a high-level concept, which may fall apart under financial analysis.

**Trustee Lemons:** I want to respond to Meg. For one thing, I think we all know this is going to be an iterative process. Whether the cart comes before or after a horse ultimately may not matter. We have to preface any time we begin this discussion with a fact we all know but must remember: we do not own the land. We have to make sure our residents understand that what we have is the power, through zoning primarily, and ultimately that the land will be sold to someone and we will have no control over that. We have to keep putting that out there. It is important to have that frame of mind so we do not launch into a lot of discussion which is fruitless.

The way I look at this is we can set up three strawmen, for example, for a financial analysis. What the Infrastructure Committee did is lay a good groundwork for that. To my mind, the financial analysis is the most important thing. That needs to be done before we go very far, because if you are going to be constrained by that, as a board we are going to have to decide how we want to be constrained. I will tell you right now what my preference is. I do not want to see the waterfront be revenue-neutral for the Village. I want to see the waterfront developed in a way where we get back into our tax base something that can provide some relief for our residents. We need to understand the parameters that would set that up. What we do not know and really understand is, given that we have a footprint we know we could work with, and some kind of view sheds which the infrastructure would work with and we know we want preserved, and we know where at least a minimum amount of parkland is, given that, what is the mix of things that could go in there that will, in the end, impact the finances of the Village. Let us take a pure example, then. One extreme is that it is just an all-residential development, with some assumptions about what that would likely be. What would that look like? What would that draw on Village services, how would that affect the school system, and so on? How would that affect us exactly.

Take another example. You could go to the extreme of all parkland. How would the Village maintain this new parkland, assuming we could gain control of the land or have it given to us? That would be one. Then the other end would be, what if we zoned that basically as light industrial so it is seen as all-commercial and not necessarily all industrial, but take that extreme. You could say financially how would that likely impact us. So we have set up three straw cases, but it would help us in beginning to narrow down the zoning discussion to say, OK, well, we can see if this was 100 percent residential, and maybe revenue-neutral, let us say. That does not meet my goal. Maybe others would not agree, but that would not meet my goal. Or we find out there is some mix in the middle ground of residential that would do that. Just like what the infrastructure group did to keep us away from specifics of what goes there, and to help us think through here is the kind of overall way this infrastructure would have to be put in, that was very helpful as a first step. But the next step should not get us yet to the point of specifics about things which should really be laying this other key foundational piece, the financing. Then I would say, yes, your idea of a resident group could be useful because now there are parameters that have been set. Their time is not wasted on going off on this wonderful idea and that wonderful idea and, in the end they maybe do not meet the criterion that we have established. If we could structure a financial analysis in a way that can give us these three or four different things to look at, we know there are still constructs but they at least tell us where we are going to land with this or that.

**Trustee Armacost:** I think the way Dan explained it is the way that makes sense. He explained it very well without making any judgments. For me, what would be really helpful is to make sure we do not set up such extreme positions that they are not practical. Yes, we can look at all park and yes we can look at all residential, but there is a way in which that is just a bit annoying because we are not going to do that. If we are going to do that, then let us have a broader range in between so we can look at practical combinations.

Recently, perhaps since the vote on the building, I have had a number of people come up to me with very creative ideas about stuff that should happen. Those people need a place to be able to talk. Some of it relates to shoreline, some of it maybe relates to zoning, but some of it is not any of that. It is just cool, creative ideas. There will be an impact on those ideas, the possibility of having them or the impossibility of having them, depending on how we zone. I want to find a way for us to create a space for people to be able to share those ideas so we can capture them and they do not get lost. I sent one example to several of you this past weekend, based on the conversation I had which resulted in a drawing which was interesting. The point of the drawing was just that it is illustrative of these different things that I have not heard mentioned before and could be a possibility which would be very attractive. If we could add that in, as well, it is a different point. There are financial implications to some of these ideas, but your way of framing it is good as long as we can make sure we have things within those extremes that are actionable.

**Mayor Swiderski:** The model has to be pretty explicit on the factors used, on the benefits, so ideally it becomes a living model that a rezoning group can use and tweak. What if we make it 300 units instead of 250, what if we think 800,000 square feet instead of 400,000 square feet, and be able to play with that range of numbers to also see the impact. You might end up going for mixed-use, then you tinker with those numbers to understand what that might mean.

**Trustee Armacost:** Then it is important to have a consultant who has modeling ability.

**Village Attorney Whitehead:** There are planning consultants that specialize in this kind of financial analysis.

**Trustee Lemons:** And a dynamic model would be the best result because then you can tweak these boundaries and it becomes extremely useful as a tool.

**Trustee Walker:** But ultimately people are going to want to know what this looks like. I am going to come back to the fact that I think even a planning consultant who does these economic analyses is going to have to work with an architect or an urban designer to create a plan. These will be strawman plans that can be changed and tweaked, but it has a physical component to it: the height of the buildings and the square footage of office space and size of the blocks and how big is it.

**Mayor Swiderski:** You have to.

**Trustee Walker:** You have to, so I see nothing wrong with that. And starting with the financial is great. When we did this with Rob Lane in 2000 he did three strawman plans, which then people reacted to and tweaked and changed through the waterfront workshops. But he started with something people could react to. They also used one of the strawmen to do an economic analysis from and do a market study. We have done this before. I do not think we should be afraid of starting to get physical. It is a good thing. I like the idea of doing a financial analysis. But just to be clear, it is going to be how many units of housing, what is the size of the housing, how many one-bedroom, two-bedroom, three-bedroom.

**Mayor Swiderski:** Has to be.

**Trustee Walker:** How much parking are we going to require, are we going to change the parking requirements on the waterfront, because, in fact, a lot of waterfront development does not need as much parking. Is it going to be TOD development? There are a lot of big questions in there that will affect the financial analysis.

**Trustee Armacost:** If there is a way to maximize the revenue and limit the amount of housing that would be the most attractive to me. I would like to be able to have a lot more revenue and not a lot more resources.

**Trustee Walker:** But then you get to the question is there a demand for this kind of space, which is what we will not know until the remediation is done and we understand the market.

**Trustee Armacost:** I am talking about the models. I want to make sure we do not push all the models in the direction of are we going to have 300 units of housing, 200 units of housing, or 100 units of housing.

**Mayor Swiderski:** There will be a range.

**Trustee Armacost:** We need a bunch of models that do not focus only on housing.

**Trustee Stugis:** Whether it is a plan or four strawman plans or how to populate your rows of the types of zones we are going to do, I think whether it is with the citizens committee, or certainly with the help of the consultant, take a step back and restate "parameters," goals. It is a revisiting of the Comprehensive Plan, saying what are the goals this community wants. Do we want housing that is affordable for millennials and empty nesters, which there is a dearth of now. At this recent Pace Land Use thing all the towns up and down the river are saying there is no place for the millennials or people trading down to stay in town. Is that a goal we want? That would inform whether or not we zone for 10 gigantic mansions that are unbelievably revenue-positive, or something that those folks can live in.

**Mayor Swiderski:** You cannot do single-family because of the plan parameters.

**Trustee Stugis:** Before we start having conversations of 300 units, 100 units, what are our goals for the community in terms of how we want to live, how we want to use the waterfront. A lot of it is probably already in the Comprehensive Plan, but it is worth revisiting.

**Trustee Walker:** This is an interesting question, what comes first. Do we have the community conversation first, or do we do this financial analysis which spells out a lot of different scenarios for us and then have the community conversation?

**Mayor Swiderski:** What I am proposing is a financial analysis. The community conversation up front, uninformed by the financial analysis, lands up being exactly what I am trying to avoid.

**Trustee Walker:** Right, and I understand and I think that is a good point.

**Trustee Lemons:** I think otherwise the conversation can go in just so many unproductive directions. And we know we can sit back and listen to that discussion, but we know eventually it is going to have to get reined in to this from this. It is much better, as much as possible, to do that. I do not think that is going to be overly-constraining, but it can make the discussion more effective and productive, and maybe also save us a little grief in terms of disappointment about things that were dreamed about that simply have no basis in reality.

**Mayor Swiderski:** Right. Jim is representative of the Comprehensive Plan. That is why I am calling you to the mic. Just to be clear, it is a Board discussion but I want to hear your perspective.

**Mr. Metzger:** . A lot of what you are talking about we spent weeks, if not months, discussing in the Comprehensive Plan. Richard Bass is the person who brought this concept of form-based planning into the discussion. As a classically trained architect, where form follows function, I came as close to an argument as we ever had about this idea of how do you design something with no use in mind. I started to do some research, and found out it is relatively new in the planning community. What has derailed this community for the last 25 years in discussing the waterfront is how many housing units are we going to have, is it affordable or not, where are we going to put the bank, are we going to have a fire department there, how big is the school going to be. When you start getting into that nitty-gritty in the beginning of this discussion is when you might as well just stop having the discussion because nobody will agree on anything.

**Mayor Swiderski:** Agreed.

**Mr. Metzger:** That is why Richard Bass said take all of that out of the discussion, let us play with forms and shapes and contours and not put anything on top of that. We do not know what it is going to be.

**Mayor Swiderski:** You cannot price forms.

**Mr. Metzger:** I understand that. But as soon as you introduce the dollar as a direction this project needs to take, if we do not allow a vision for this waterfront, and by that I mean all the crazy ideas you could possibly imagine, to bubble up to the surface we are going to end up with Tarrytown, we are going to end up with Yonkers, we are going to end up with what a mistake that was from a design perspective. We have a section of land unique in the world. We are looking at a rock formation that exists no place else. I am not saying finances are not critically important because they are critically important and was one of the reasons I was

critical of the LWRP, there was no message in the LWRP that this needed to be, at minimum, financial neutral but really should be financial positive for the Village. In some of the plans that were developed in 2000, the Village was on the hook for \$24 million to put a park in.

We have been shot in the foot going down this road before, the way you are describing it, and I would like the Board and members of the community to take a look at what we proposed in the Comprehensive Plan, do research on what form-based planning is. Yes, it is pie in the sky. But we do have some parameters we have to go to: we have consent decrees, we have things we have to follow. When we discussed this many years ago Sue Maggiotto sent me a photograph of the Disney Performing Arts Center in Los Angeles superimposed on our waterfront. She said, "This is what I'd like to see." I looked at that and said, "Wouldn't that be fantastic? A piece of world-class architecture that would draw people from all over the world to not only come see the building, but experience the majesty of being in a performance hall like that. We are probably not going to get that, but if we do not shoot for that now we are never going to have that. If we lose the opportunity, 100 years from now people are going to say, "Boy, they should've done something better than this." So let us shoot for the impossible, let us shoot for the stuff that is crazy. The cost will come in.

**Trustee Armacost:** That is why we need, at the same time, a place for these ideas. I do not know whether it is a committee or whether it is reporting in or whether it is coming to us or something, but we have so many creative people in our village with ideas we have to find a way to capture those thoughts and ideas and different viewpoints. They have to happen at the same time.

**Trustee Walker:** But what you point out about the \$24 million park, that is a real thing. We can get some numbers based on the acreage, 8 or 12 or whatever it is going to be, that we are going to have to be responsible for. BP is going to giving us parkland. What are we going to need to build and support that park? Tarrytown got a lot of money from Scenic Hudson, the state and the county, but they also got a lot of money from the developer. This is a possibility of putting all this on the table to understand, OK, this park is going to cost \$24 million, who is going to pay for it? And to be able to look at a development strategy, then, that will help us pay for that park.

**Mr. Metzger:** What I am suggesting is, at the beginning of the process we let ideas run wild. As soon as you start assigning numbers it will be we should have a factory down there. OK, then what kind of factory should we have? We start getting into specifics, and I do not believe we are ready for that. I believe we have faltered with that concept for 25 years.

**Mayor Swiderski:** I would beg to differ. One of the things we falter on is exactly only dreaming, unbounded by numbers. The problem is that the waterfront is our magic mirror,



where everybody sees what they want down there and has no basis by which to ultimately determine how to zone for that. We have visioned down there a number of times over the years. We have had schools come in and vision for us. We have probably seven inches worth of vision, and there is more to come.

**Trustee Walker:** We have about 12 boxes of it.

**Mr. Metzger:** And they were all used-based zoning.

**Mayor Swiderski:** But whether it is used-based or not, visioning unbounded by practical considerations is nice but happens in parallel with the practical, not before, because all we are doing is setting up expectations that are going to have to run aground on numbers. My concern is to try to short circuit that. If you ask me for a vision I would say a fantastic Google campus north with a little housing to ensure there is boots on the ground at night on the waterfront. I think housing is needed down there. But I am not going to be serving on the rezoning committee so I do not even propose that.

**Mr. Metzger:** I had asked Fred Yaeger many years ago would BP be interested in doing a college of environmental design, the BP School of Environmental Design. The point of this is, we have been talking about various uses for many, many years and everybody has a different idea about what is important and what it should be. So take the use out of it.

**Mayor Swiderski:** But you cannot.

**Mr. Metzger:** You can initially. That is what form-based planning is all about.

**Mayor Swiderski:** I know, but then you do not put numbers against it.

**Mr. Metzger:** You do that afterwards. When you see what the physical constraints ...

**Mayor Swiderski:** We are back to Board discussion here. I hear you, and we ...

**Mr. Metzger:** When you see what the physical constraints of the forms are, then you can start to understand what the uses might be that would be appropriate.

**Mayor Swiderski:** Physical constraints would have to work into any design because we have view corridors that need to be respected, height limits set by the consent decree.

**Mr. Metzger:** We have never set view corridors because we do not have a form-based plan.

**Trustee Armacost:** With all due respect, Jim, I think we have moved out of Board discussion now. There is another place for this kind of discussion because we all heard the point you are making.

**Trustee Walker:** No, Jim, I completely understand. We all supported the Comp Plan and form-based code. I think there is a place for it in this process. We are just trying to take off the rose-colored glasses and put on some real glasses to start with, then we can go back to the form-based code. It is important what the streets look like, what the massing of the building is like, where the streets go, and where the view corridors are and exactly how the park works. I think we need to have a master plan for the site, which you could call master plan, you could call form-based code. Ultimately, we put it in the code. That is important. I think their point is, we are just going to start with something real to get a handle on it. It is not going to be the final plan. It is just a beginning.

**Mayor Swiderski:** It is a range of options.

**Trustee Walker:** It is a range of options, and also it can give us some goals to work towards so everybody agrees we do not want the waterfront to be revenue-neutral, but what does that mean? In seven years, when the waterfront is cleaned up, those numbers might change. But we are at least starting with something. They will change, and we do not know what the market is going to want.

**Mayor Swiderski:** No, but it begins with a good model. The rezoning effort is informed by that, that even as the market changes there is some flexibility in that model.

**Trustee Walker:** I think that between this modeling and the zoning has to come planning. You cannot leap to zoning without planning. Planning is what Jim is talking about, and the zoning can take various shapes. It can be conventional, it can be form, it can be a hybrid. There are all kinds of ways for it, but you have to plan what you want to have down there and what it is going to look like before you zone. I think it is a three-part process.

**Village Attorney Whitehead:** Well, planning and zoning go together.

**Trustee Walker:** Well, yes and no.

**Village Attorney Whitehead:** That is how you get to your zoning.

**Trustee Walker:** Yes, through planning.

**Trustee Lemons:** The financial helps us set some baseline parameters which will be very important. We are not going to lack for vision. We are going to drown in vision if we are not careful. That is one of the things that worries me about this process because we have all seen a lot of that. That becomes very unmanageable and does not lead you in a productive direction. We are not going to overly constrain ourselves, but we will hopefully understand what we are working with better. Last week, we heard the parks commission present their strategic plan, and one of the aspects of that is Hillside Woods, which was a wonderful thing for us to take on. Now it is 40-plus acres, or you could say 100 acres, of land that is overwhelming us. We do not know how to manage it as it is deteriorating, and the waterfront makes that pale as an issue for the Village. The waterfront is going to be the biggest piece of social design and engineering that has ever happened in this village, and we are never going to understand enough about how that is going to impact and what it might do. But we need to understand as much as we can and set parameters at the beginning to help guide us.

**Mayor Swiderski:** Right, and not go through the analysis paralysis that has plagued us on this and which we have avoided for that very reason.

**Trustee Walker:** There are also different ways of approaching the development of it, which we can take into account in this modeling. It could be one developer who builds everything all at once. That is probably not likely. It probably would be a master developer who would build something. I would prefer to see it done by different developers. Each one is guided by our plan and our zoning. I have been working with the City of Westminster, Colorado. They have a 100-acre area they want to create a downtown in. They have decided to sell it off to a number of developers and not one developer so they get a different look, feels like it has evolved over time, and is not something that has been placed down all at once. There are a number of different ways to approach it. We can guide BP in the direction we would like to see and the type of development strategy we would like to see. That should be part of the discussion as well.

**Mayor Swiderski:** We are way too in an early stage of discussions with BP to talk to that.

**Trustee Walker:** But we can think about it.

**Mayor Swiderski:** Yes, we can.

**Trustee Walker:** One other thing, we should talk to other communities that have recently done waterfronts like Tarrytown and Yonkers and Sleepy Hollow, about the process, what worked and what did not work.

**Trustee Lemons:** What would be particularly interesting is one of the ones we liked.

**Trustee Walker:** I cannot think of a single one in the Hudson River I like.

**Trustee Armacost:** We cannot think of a single one is because somehow or other the magic got lost. Part of what Jim is trying to say is that we have got a lot of magic in our community and need to find a way. I am all for the financial planning side, but I do not want that to gut the magic. So somehow we have to find a way to have the discussion on the magic. We have amazing creative people here. A gondola going from the waterfront to the downtown, just the thought of that thrills me. It reminds me of my mother's village in the north of Italy. How do we get some of these ideas, preserve them, and have them factor in to the way we are doing the quite boring, sorry to say to all of you who are planners and whatever, side of things. They have got to go together, and then we will be different and other people will say Hastings was the amazing one. Somehow we have to keep the magic.

**Trustee Walker:** For example, River Arts might like to have an arts facility, and we can make that a priority. We can say it is going to be a non-profit institution, whatever it happens to be. It could be a museum, an art school or a performing arts center, but some piece of something we hold on to through this whole process. We say whatever gets built we want to have some kind of non-profit institution down there that represents who we are.

**Trustee Armacost:** Many, not just one.

**Trustee Walker:** At least one. We can identify what it is, and then work toward it. It can be a goal, and maybe then there are more. But there are some real things we can start to identify as goals.

**Trustee Armacost:** But what we need to have happen in parallel is the capturing of all those ideas, knowing that it is not our land, knowing that they will get filtered out, but floating of them, having the long list of all the things that could be magic will be helpful for us. Then as we start to talk about certain kinds of financial things, those ideas will be there.

**Trustee Walker:** We are going to have to find another way to do it other than asking people. We have been asking people for shoreline designs for the last two months. We got one.

**Trustee Armacost:** We may need a different way of soliciting this. Maybe there is a forum which is set up as a creative forum and can come out in one of Peter's letters. I do not think people really know. We are coming up to the shoreline discussion committee now, so maybe we can segue right into that.

**Trustee Walker:** It is almost like a campaign. It is going to be more than this financial analysis. It is going to be a creative effort, it is going to be a brainstorming. What I think would be great is to set up a number of discussions where we bring people in who inspire us. We can learn about the nitty-gritty from Tarrytown and so on, but we should invite speakers who will inspire us to think bigger than what we see on the Hudson River. And there are lots of people out there who would be happy to come. We want to inspire creative thinking, we want to know what is real, but we also want to dream. So it is more than just the nuts and bolts and numbers. A committee could come up with a number that could go in both directions.

**Trustee Lemons:** I am not disagreeing with that at all, but we have got to be a very tough little village. We are not going to be dealing with small-time players through this process. So we have to have our ducks lined up. It is great to encourage all those ideas, but at the same time we cannot float things that simply have no hope. All that does is cast us as being unable to manage our real situation here. And that is going to be tough for our board because we have to do that for sure. We have to be able to go toe to toe and have those discussions with BP/ARCO, particularly. And at the same time, we have to have that environment in which we can do exactly what you are saying. It is like get the big vision out there because we cannot count on them to come up with that vision. All those communities you mentioned, to me they went for the mindless sort of thing, which I expect to be proposed.

**Mayor Swiderski:** Right, developers.

**Trustee Walker:** That is why we need to talk to them. Don't not talk to them. They got their parks paid for somehow. We want to find out how they did that. Tarrytown got a new village hall out of it. I am not saying we are going to sell ourselves to a developer. In fact, just the opposite. We want what we want, but we should find out how other communities structured those deals.

**Trustee Lemons:** I think it is a great idea and something we should do sooner than later.

**Trustee Stugis:** There must be a certain amount of big-visioning fatigue in the community over the years:

**Trustee Walker:** But there are a lot of new people.

**Trustee Armacost:** There is fatigue, yet over the weekend we got a super-cool set of ideas. There is fatigue because people have been in the Village for 40 years, it has looked the same, and nothing has happened, and it has been a toxic waste site. Then a bunch of decisions were

made, and suddenly there is the possibility again. People's hopes, arguably we are glass half full community. People want it to be amazing, people believe Hastings is special and different, so we want our waterfront to reflect that. We see these visions coming up. Because I was not in a lot of the early discussions, I do not even know that box you are talking about of trillions of visions. I have not seen any, so I feel like I am missing out.

**Trustee Stugis:** We need to honor to those, and make sure they are not buried in a box and are still being paid attention to.

**Trustee Walker:** I did a spread sheet with like 20 plans that came before I can show you. going back to the '60s.

**Mayor Swiderski:** Right. And ultimately, we are moving past the visions of the past. Like I said on what has happened with the consent decree, this is for real. It is going to happen in the next two years. I told people I am not the vision guy and I am not going to force any sentiments I have on this process. But I know this process will have to be prodded along quickly because like it or not, it is private property and every one of those chunks of land, the three properties in question, are all in play. They are all on the market. Like it or not, we will be facing developers this year, guaranteed.

**Village Attorney Whitehead:** You want to be ahead of them.

**Mayor Swiderski:** And I want this process entrenched and underway before we have a face-off with developers. I do not want this to be reacting to them; I want it to be us in control of a process that is realistic. The other thing I do not want to happen here is pie in the sky that results in rolled eyes. Tarrytown got what it got because it sold its soul. I do not want to sell our soul, but I do not know to also create such a limited structure here for what can be done that nothing happens. Ultimately, what we do has to be bounded by physical constraints of what will sell.

**Trustee Walker:** But even though it is privately owned, we have a lot of control.

**Mayor Swiderski:** The zoning and planning oversight of whatever ultimately is proposed is our control. But that needs to move apace.

**Trustee Walker:** Jim's point about the form-based code and the Comp Plan and our discussion about that rested on the fact that we did not know when the site was going to be clean and ready for development. And we figured that a lot of things could change in the meantime in terms of maybe there will be demand for office space by that time and maybe a whole different type of TOD development is all of a sudden hot.

At this point, though, developers, or at least buyers, are starting to court BP and looking at it even though it may be five, six, seven years in advance. Is that right?

**Mayor Swiderski:** Yes.

**Trustee Walker:** So they are already putting their numbers together in their heads.

**Mayor Swiderski:** And the same with Exxon and the same with Uhlich. In some cases it is the same developers, and it is exactly what you would expect. This is the sweetest 42 acres north of New York City.

**Trustee Lemons:** Which again just emphasizes why we need to get in front of it and let them know that we are not a tabula rasa here.

**Mayor Swiderski:** Right. We are going to be setting parameters.

**Trustee Walker:** Well, it is a lot of things. It is not just what it looks like, it is not just the numbers it brings in. It is the magic that happens there, it is the place we are creating for ourselves as well. it is important in so many ways.

**Mayor Swiderski:** In the interest of having this be more than just a Board discussion, I am going to take the general arc here of, first, a financial plan as something I can develop a little further.

**Trustee Walker:** Who are you going to talk to about this?

**Mayor Swiderski:** For starters with Gary Rosenberg and Dan. I want to reach out to a couple of in the community who have done this before, and elsewhere simply to flesh out this idea further.

**Trustee Walker:** So there are some firms that do this, HR&A.

**Mayor Swiderski:** I want to come back probably by next meeting so I have something in hand I can go to them with. They may totally turn it around, but I do not want to reach out without Board consent. I am not going to be a lone ranger here. All right?

**Trustee Stugis:** Great.

**Mayor Swiderski:** You just assented to that, even if you were not listening.

**Trustee Armacost:** We were listening to everything.

## **2. Next Steps on Quarry Park**

**Trustee Stugis:** It is going to be a bird sanctuary, apparently.

**Village Manager Frobel:** We try not to. The Mayor asked this to be on the agenda to follow up the conversation we had at our last meeting. I left that meeting with some direction from the Board as to how we expect to proceed in not only development of the Quarry Trail phase two, but looking to do final design and development specifications for Quarry Park.

Between the last meeting and tonight I have not had an opportunity to meet with the Quarry study committee. That group has been the stewards of this property for the last 10, 12 years, and it was important I felt for me to meet with them, bring them up to speed, and convey to them what I heard at that Quarry meeting. I also want to bring in the Parks and Recreation Commission. They have not been active since Kevin Dawkins was a member. So they were on my list of people to also be in this joint meeting for me to give them an opportunity to bring them up to speed as to where we are and the status of several grants, and what I envision happening at that location over the next 12 months. I want their input. I want to come before the Board with them, outlining our operational plan for the next several months.

**Mayor Swiderski:** I would like to lay out my own expectations for the timing. This design process, and exactly what the involvement of the architect and what his fee will be, we can work out. But when I talk about design, I am talking about the cleanup design and leaving behind a serviceable park that may have further, if we have money, enhancements but is serviceable for the budget we have. That is done well within this calendar year, then next year the work commences and is completed. In terms of rough sequencing, that is what I see. I do not want a year of visioning, then a year of design. I want the design to happen this year. We have the money and we spent already quite a bit of time thinking through what will be there.

**Trustee Walker:** Something you said is really important, that we do not have to have a final park design. But you are right, we need to have a stage on which we can do things later. So we do not need to have a landscape architect come in with something. That may be unrealizable within our budget. But it also may not be something that once we start to get to use this space we may not want to use it in different ways. It should not be over-designed, and we do not necessarily need one of the country's best landscape architects to do that. It is mostly an engineering job.



**Village Manager Frobel:** It is. And in defense of the committee and our work, and John is here tonight by the way, a member of the committee. Chris Lomolino could not make it this evening. But that has always been our goal. Our goal has been a clean site with minimum amenities. It includes a trail going through it, natural grasses. That was always part of our plan and pre-design; to keep a low maintenance site. Also, the very cleanup of the site prevents any structures being built on it, any kinds of amenities that are permanent in nature. They are sensitive to that, Meg. I know you helped, I just wanted to reiterate that.

**Trustee Walker:** Someone came up to me over the holidays and said, "My son has an idea for that park." I said, "That is great." He wants to put a BMX track in there. I thought, that would be really cool. It would be a perfect place for it. Maybe it only lasts for two years and then becomes something else after that.

**Trustee Armacost:** It has natural acoustics.

**Trustee Walker:** It becomes a concert venue. But it could be a variety of different things. It does not have to be just one thing.

**Trustee Armacost:** I have been following the e-mail trail of Chris. It feels as if there is a blockage around us responding in order to get this grant that has lapsed, which is \$67,000. So if you can just explain to us, Fran, what the process is there. If that is blocking something, I do not understand why we cannot move forward. If that is preventing us from moving things forward can we just claim that money?

**Village Manager Frobel:** That grant, as I reported to the Board, had expired. It expired because it was insufficient money to take us to final design. It was not enough money to engage the landscape architecture, it was not enough to do engineering for the site. In the absence of having enough money, the money lapsed.

**Trustee Armacost:** We got \$1.3 million. I do not understand.

**Village Manager Frobel:** We do today but we did not back in 2012, and that is the period of time we are talking about.

**Trustee Armacost:** But she is trying to get it back now. So we are not talking about 2012, we are talking about 2017.

**Village Manager Frobel:** Just to be clear, we were talking about when the money was frozen or when the money lapsed. We have written the letter to the state back in early December at their direction. Chris Lomolino informs me that the letter contains a phrase that

caused the staff at the state level to pull us. There was something in there indicating, or they interpreted it as the fact that, we, the Village, were looking to use a grant as a match to leverage the additional \$65,000 grant that has now lapsed. I will correct that. I called the staff today, he was not available, he will be in tomorrow and I will send an amended letter clarifying the fact that it was not our intent to indicate we expected to leverage grant money to free this grant up for us to spend. It would have been nice had the staff member called me with that concern. He chose not to. Evidently it sat idling on his desk during the last three months. That appears to be the message that was conveyed to me by Mrs. Lomolino.

**Trustee Armacost:** Can we have a phone bombing scenario, where we call the guy on a weekly basis? If we are having miscommunications and things are sitting on people's desks, we need to be a bit more pushy on our side to make sure that is not happening. Once you have sent this next letter in, maybe we can follow up a week later and then a week later and a week later until they just give it to us because we have driven them crazy, Fran, because I think we need this money to move things forward.

**Village Manager Frobel:** The bigger picture is the money we need to get to work done, and that is what the Mayor spoke to me about today. Our goal has always been to use the \$1.3 million from the amended consent decree for hard costs, for construction. It appears now, and I am going to be coming to the Board after I meet with the group, that I will have a recommendation we access that money for some of the soft costs. That is why we are going to need to work with the landscape architect, as Meg points out, to get those prices lower and recognize the fact that we do not have a lot of money for soft costs.

**Mayor Swiderski:** Soft costs are defined as design.

**Village Manager Frobel:** Yes, the landscape, the architect, the engineering, all the soft costs of developing the specifications.

**Trustee Armacost:** But let us not lose almost \$70,000 because we have not followed up.

**Village Manager Frobel:** Half of it is hard money of ours and half of it is grants. It is not \$65,000 cash, it is half of that.

**Trustee Armacost:** You are saying it is divided by two because it is a 50-50 match?

**Mayor Swiderski:** Right.

**Village Manager Frobel:** So let me have the committee meeting, and let me get the Parks Commission involved because I think they need to be involved in it. Obviously, we have

Kevin Dawkins involved and Ray Gomes involved. We will have that meeting, and I will come back to the Board with a recommendation there as to how, over the next three months, you will see some genuine progress as to how this project moves forward. We have had this project not on a shoestring, but we have not had a lot of money to work with. We tried to make it work with volunteers, grants, and trying to squeeze some of these professionals to provide us with services and estimates. We are at a point now where we are going to need to go out for some money and have some real work done.

**Mayor Swiderski:** Well, we have the money.

**Trustee Walker:** I love Matthews Nielsen and they are fabulous landscape architects, and I have worked with them on other projects before. They are nationally renowned landscape architects. I hate to say this but are we aiming too high to get a landscape architect that is one of the best in the country when we could be using an engineering firm that also has some landscape architects on board.

**John Flack, 28 Buena Vista Drive:** Could I just say a couple words and clarify this? I am a member of the Quarry Park Committee. Matthews Nielsen has got a design for us. We have that design.

**Trustee Walker:** But they have to do the construction documents, which is costly.

**Mr. Flack:** Yes, that has not been done yet. But the overall look of the park has been set up. The reason that was done was because when the engineering is done, when you start moving the ground around, you want to have it into design shape when you are finished. Then you could just leave it that way. You would not have to do anything else beyond that. Then you could do a lot of other things that follow on that if you wanted to, like the amphitheater. That piece will be built in by moving the dirt around. That will be there. The water feature, if we decide to go with that, below the cliffs, that will be dug into it as it is being engineered, as it is being remediated. The design has to come before the remediation because the remediation puts it into place. But as far as what grasses, what trees, what stones, what walks, all of that can follow afterwards.

I think it is tying into what you are talking about. You want to get started on that piece where you get, for the \$1.3 million, the remediation done. Then the idea, as Fran was saying, also is to have it maintenance-free as possible, all native plantings, nothing that needs any kind of real maintenance. Parks and maintenance could go out there maybe once a year and make sure the walkways, once they are put in, are not getting overrun with weeds or something like that. But the whole idea is to make it very self-sustainable.

**Trustee Walker:** My point is that it is a really simple design, and it is a fine design. But Matthews Nielsen's cost to do construction and the contract documents for it is very high.

**Mr. Flack:** That part I do not know. You know better than I do, I am sure.

**Mayor Swiderski:** Could the documents be turned over to an engineering firm?

**Trustee Walker:** Yes, but you still want some landscape architects on it to choose things. The question is, do you want it to become the amphitheater, the water feature, and all these things, or is it a much simpler tabula rasa for us to do things with later.

**Mr. Flack:** The thinking has been more of what you said, the latter, the tabula rasa. But the features of the ground, the way it undulates and whatnot, would be built in when it is remediated. Then you take that as your canvas or tapestry, whatever you want to call it, and build on top of that. Although Matthews Nielsen has proposed things for that, we do not necessarily have to take them. But if you want to have a water feature you want to have it built in when it is remediated and not have to put it in later.

**Trustee Walker:** It is the same problem we encounter on the waterfront. We want to get this stuff done during the remediation.

**Mr. Flack:** No, that design has already been done. Matthews Nielsen has done that design. Fran has seen it.

**Trustee Walker:** I know, but it is a schematic design.

**Village Manager Frobel:** Right, it is a schematic.

**Mr. Flack:** It is a schematic, yes. It does not have the details specifications, that is right.

**Trustee Walker:** And the grading plans and all that.

**Mr. Flack:** I do not know how much is involved with that. That is beyond my bailiwick.

**Trustee Walker:** But maybe the Parks and Rec Commission should look at it.

**Village Manager Frobel:** Oh, very definitely.

**Mr. Flack:** I imagine they could do a lot of the work themselves. I forget the engineering firm, who is going to be doing the design for that.

**Village Manager Frobel:** Sullivan, they had someone lined up. Then we have got ARCADIS, I believe, doing the specialized engineering. Again, that was going to be the topic of our group. How do we approach the landscaped park.

**Mr. Flack:** I think Fran has a very good plan for the next three months.

**Trustee Walker:** And they can look at that schematic design. They should be reviewing it. I thought it was a beautiful design.

**Mr. Flack:** The thing I would be concerned about is, I believe they have been paid for that design, and it was not a whole lot of money. But if you want to now put it out for another firm to do a design on it, I do not know if that is useful.

**Trustee Walker:** No, we do not want to start from scratch. The question is how much of that is critical; the water feature, the way they designed the grading. We have not done a grading plan so it is hard to say.

**Mr. Flack:** Right. The reason for having the water feature is because those stones are going to be falling out of the cliffs. You do not want them coming on people's heads. It is a buffer zone, basically. It is partly water and partly vegetation, I believe.

**Trustee Walker:** I think all those things are good ideas. I am not against Matthews Nielsen continuing, either.

**Trustee Lemons:** But it sounds like a lot of the discussion is what is the pathway from that schematic to do the engineering drawings that is the least expensive.

**Mr. Flack:** You said it very well. That is exactly what is involved.

**Mayor Swiderski:** Say that again, Dan.

**Trustee Lemons:** We need the pathway that is the least expensive, from that schematic design to engineering drawings, that the remediation firm can use. What Meg is saying very strongly here is that the high-cost path is not necessarily the one we need to take. That would be easy for us to hand it over to them. We trust them, they will do a great job.

**Trustee Walker:** I think their fee was based on 10 percent of construction costs. A lot of construction cost, most of it, a million dollars probably, is fill. That is why I had questioned the design cost.

**Village Manager Frobel:** That is where our group can meet and narrow down some of those prices. That was my goal, to come to you perhaps as early as the next meeting with a strategy as to how we are going to approach the next several months.

**Mr. Flack:** You got the memo from Chris. There were just two points, and if did not come up the other one would be Quarry Trail, about getting the new bidders, or putting out the new bids and getting someone to construct the second part of that trail. We have already talked about getting together with you next week, we have already set up a date.

**Village Manager Frobel:** I do not have a date or time. I told her I was wide open.

**Mr. Flack:** OK. Well, Chris has a date and a time in mind. She will get back to you, and I will let her know that Parks and Rec will be joining us.

**Village Manager Frobel:** I will contact them, yes.

**Mr. Flack:** We welcome that. We had a great time working with them at the very beginning. We originally came out of that group.

**Trustee Armacost:** I would like to clarify something. I am reading from the memo of Chris dated January 3, 2017. Maybe you have not received it.

**Village Manager Frobel:** I have it.

**Trustee Armacost:** She says, "The grant was originally for \$85,000 and requires a 50-50 match." Then she says, "The amount of the grant remaining is \$67,000," with implies there is \$67,000 which needs to be matched by \$67,000, not that it is half of \$67,000. I think it may not be such a trivial amount. The implication of her memo, unless you think the data is incorrect in her memo ...

**Village Manager Frobel:** I do, and I pointed it out.

**Trustee Armacost:** Because she has written that multiple times now so I think you two need to fix that misunderstanding with one another.

**Village Manager Frobel:** The Village is the recipient of the grant. I have done the accounting for the grant. I do the quarterly report, I deal with the staff directly. My letter reflects the amount I expect is remaining to be spent. And I have tried to correct her. I sent correcting e-mails to that address.

**Trustee Armacost:** I have spoken to her after you have corrected her, and there is not a meeting of your minds on that. So if we can find a meeting of the minds.

**Village Manager Frobel:** I do not even view the \$33,000 as trivial. That is quite a bit of money that could be used for the project. It is not only 65 times two, I think it is even the 32 times two that is quite a bit of money to spend on the program.

**Trustee Armacost:** My view is any money is worth pursuing. I am just trying to work out why it is not moving forward. If it is because it is considered not enough money to put an effort into, then if it is \$67,000 it is more than we thought. If we can move it forward it would be really valuable.

**Village Manager Frobel:** Again, I thought I explained why the project had not moved forward back in 2012. That was because there was insufficient money to go to the next level of design that was required for us to go out to bid.

**Trustee Armacost:** Yes, but she wrote to us in October.

**Mayor Swiderski:** I would like to have an update by the next meeting so this can move along.

**Village Manager Frobel:** Sure.

**Mr. Flack:** Excellent. Like I said, Fran, we ready. Chris has a date in mind. We are all flexible next week. Niki, you bring up a good point, that \$1.3 million, every single dollar of that, can be used for matches.

**Mayor Swiderski:** Yes.

**Mr. Flack:** So the more grants we can get we could do this thing for like half the price.

**Trustee Armacost:** Exactly, and any money we save is valuable and can be used somewhere else.

**Mr. Flack:** Sure, it could even be done on the next steps on the park if you wanted to. But I guess you could use it anywhere. I do not know what the restrictions are on it.

**Mayor Swiderski:** It is for the Quarry Park.

**Mr. Flack:** Well, that is even better. We could have an endowment fund. Just joking.

**Mayor Swiderski:** I hear that, but we have to locate grant opportunities. I do not want to stall waiting for grants to come along. I want the project to move along.

**Mr. Flack:** I totally agree with that. It has been a long time.

**Mayor Swiderski:** I do not want to hold out now that we have a pot of money.

**Trustee Armacost:** But let us not drop money that is potentially available for us.

**Mr. Flack:** I believe we can use that money, though, for years down the road for matches. Like if we are doing what Meg is talking about, or like you have been talking about doing the bare bones to begin with.

**Mayor Swiderski:** It depends on the cost of those bare bones. Those bare bones are not cheap. If it is less than \$1.3 million I will be delighted.

2. **Update on the Shoreline Committee.**

3.

**Trustee Walker:** We have a lot happening in the next couple weeks with the shoreline project. On January 18 there will be a public forum to discuss the shoreline, led by our consultants at the Community Center. It is important we get a good turnout. We want lots of good ideas. There is going to be a great community process, and everybody will have a chance to brainstorm and have input into this process. If you have not sent your photos, sketches, ideas in we would like to get them before January 11 so we can put them up on a website and also have them at that forum. Send your ideas to [shoreline@hastingsgov.org](mailto:shoreline@hastingsgov.org).

A new event, Scenic Hudson is going to come and talk a week January 11 in the Orr Room at the library. The topic is Revitalizing Hudson Riverfronts: Resilient Waterfronts in an Era of Sea Level Rise. The reason we wanted to get Scenic Hudson before this forum is to educate people. We set the forum date awhile back for January 18 because we have a deadline. We are working to complete this project before summer. We want to have this done, we want to get the community's input, and we want to get the consultants working. Then we will be having stakeholder meetings with the state agencies, with Riverkeeper, BP and so on, once we get these ideas on the table.



#### **4. Other**

**Trustee Armacost:** All our boards and commissions should be electing new chairs at this point in the year. Meg, I think you are going to meet with the Shoreline Committee tomorrow. They can reelect their existing chairs or elect a new chair if the chair wants to stand down. That is something that should happen at this point in the year. I will write to them. But, Susan, maybe we should work out a way to remind everyone, particularly if Trustees are going to be at specific meetings. So we will get the word out.

#### **ADJOURNMENT**

On MOTION of Trustee Armacost, SECONDED by Trustee Lemons with a voice vote of all in favor, Mayor Swiderski adjourned the Regular Meeting at 9:35 p.m.